

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 865 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE H.R.SHELAT

=====

1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

ASHOK LAXMANBHAI CHANDRA

Versus

STATE OF GUJARAT

Appearance:

MR YOGESH S LAKHANI for Petitioner

MR AJ DESAI ASSTT PUBLIC PROSECUTOR for Respondent No. 1

CORAM : MR.JUSTICE H.R.SHELAT

Date of decision: 22/02/99

ORAL JUDGEMENT

#. Rule. Mr.A.J.Desai, Learned APP waives service of Rule.

#. Initially, this application was filed for the release of the petitioner on regular bail; but at the time of hearing, the learned advocate representing the petitioner submitted that the same might be treated to be the application for temporary bail. Accordingly, this

application is treated to be the application for temporary bail.

#. The petitioner prays for being released on temporary bail because his mother is seriously ill and By-pass surgery is found necessary by the local Doctor. The mother of the petitioner is advised to get herself operated for Bypass surgery either at Bombay or Madras because of the peculiar condition of the patient and necessary facilities easily available there.

#. In view of such facts, the application is allowed. The petitioner is ordered to be released on bail upto 25th May, 1999 on his furnishing bond of Rs.10,000/- with one solvent surety of the like amount to the satisfaction of the Sessions Court at Jamnagar, and further on conditions that he shall not during this period enter into the local limits of Jamnagar District without the prior permission of this court and shall furnish his detailed programme to the Sessions Judge, Jamnagar while executing the bond, along with his true and correct address for his contact. He shall surrender back to the Jail custody latest by 16.00 hrs. on 25th May, 1999. In case of breach of any of conditions, the Sessions Judge, Jamnagar will be at liberty to take appropriate action against the petitioner. It is clarified that it would be open to the petitioner to enter into the local limits of the Jamnagar District for the purpose of taking his mother either to Bombay or Madras. Rule is made absolute accordingly.

Date : 22-2-1999 (H.R.Shelat,J.)

*kailash